



The Iowa Legislature

State of Iowa

Eighty-fourth General Assembly

STATEHOUSE

Des Moines, Iowa 50319

For Immediate Release

Monday January 9, 2012

REFORM Bill Proposed Efficiencies

Title and Intent: The Act shall be known as the Restructure or Eliminate Frivolous, Obsolete, and Redundant Mandates (REFORM) in Governments Act. It is the intent of the general assembly to examine all frivolous, obsolete, and redundant mandates in all levels of government and take all necessary actions to restructure or eliminate such mandates and create more efficient governments.

Here is a breakdown of what is included in the bill:

- **Competitive bid plans for proposed public improvement:** Current law requires governmental entities to ensure a sufficient number of paper copies of the project's contract documents, including drawings, plans, specifications, and estimated total project cost, are made available for distribution at no charge to prospective bidders, subcontractor bidders suppliers and contractor plan room services. The bill strikes the provision that requires that the information be available at no charge.
- **Housing Military Prisoners:** Current law requires that city or county jails, penitentiary, or prison must receive persons ordered into confinement by a military court and prohibits a fee or charge. The bill allows the facility to confine the individual for a reasonable charge.
- **Notification to Department of Public Health:** Notification is to be made by individuals listed in the Code to the nearest relative or friend of the deceased, if known and the Iowa Department of Public Health when a body comes into their custody which is to be used for scientific purposes. The law specifically states that notification is to be made by telegram - the section changes this notification to a secure notification format approved by the Department.

- **Burial Permits:** Currently the county recorder is included in the list of those who can issue a burial transit permit. The bill would eliminate them from this list due to their lack of the necessary relevant information.
- **Oleomargarine** The Iowa Code sets out that the Secretary of Agriculture shall enforce Chapter 191 Food Labeling, (oleomargarine) and the county attorneys and the attorney general is to cooperate. The bill eliminates the county attorneys from this duty.
- **Office Space in County:** The Code requires counties to provide and maintain necessary office space and office supplies and equipment for certain department of human services personnel that are assigned to duties in the county. The Code sets out the level of costs that shall be reimbursed. The bill requires reimbursement to the county of the total cost of maintaining the office space and the supplies and equipment.
- **Disposition of state owned schools in mining camps:** The current Code requires the building and the school site be sold by the Director of the Department of Education when it is determined that it is no longer needed for school purposes. The bill states the property may be sold at either a public or private sale and repeals various Code sections related to the sale.
- **Ordinances Available:** Current Code provides the auditor shall provide the Code of Ordinances available at their office to the public. The bill allows the proposed new ordinance or amendment, the supplement of changes and the compilation for the Code of Ordinances to be available in electronic format. The bill also permits cities and counties to make certain standards and codes adopted by reference available on the entity's internet site.
- **Articles of Incorporation:** Strikes the requirement placed on a County Recorder to carry out the duty of recording the articles of incorporation and other instruments for savings and loan associations as provided in chapter 534.
- **Autopsy:** The bill would delete the word "unexpectedly" from the list of deaths affecting the public interest that would trigger an autopsy. The bill would still leave discretion in place.
- **County Sheriff Reports:** The Code requires the county sheriff to file a monthly written report with the director of the department of corrections relating to the total number of persons held in the jail. The bill would allow the director of the department of corrections to require electronic reporting of the report.
- **Eliminate Permit Time Delay:** Every site where more than one acre of land is disturbed is required to obtain NPDES General Permit #2, (National Pollution Discharge Elimination) and therefore it impacts almost every project (public and private) that involves moving dirt. The process causes time delays in construction. The bill will

streamline this process by adjusting the notice provisions.

- **Manure Management Plan:** Due to the space requirements certain manure management plans that are to be sent to counties shall under the bill be done so electronically to address storage issues.
- **Notice related to Levee and Drainage Districts and Improvements:** Addresses Levee and Drainage Districts and Improvements. Under Iowa Code, the first section requires the auditor to give notice to the owner of each tract of land or lot within the proposed district and any others who might be interested. The next section requires publication with a copy sent by “ordinary mail to each person and to the clerk or recorder of each city names in the notice.” This publication is voluminous, since it includes the engineers report. The change would allow the publication of the notice of the hearing.
- **Paternity and Obligation for Support:** The bill provides that in proceedings in these matters, if the findings of the court is in favor of the defendant the costs of the action is to be paid by the complainant, unless the complainant is deemed indigent, then the costs of the action are paid of the county. Current law has the county paying.
- **Going-out-of-Business:** Strikes the requirement for counties to issue going out-out-of-business sale permits for such sales occurring in a city that does not regulate (no ordinance) going-out-of-business sales or in the unincorporated areas of the county. In addition, other references to counties relating to going-out-of business sales are eliminated.
- **Political Subdivisions, etc. Engaged in Mining and Coal Mining:** The bill repeals the section of Code that repeals the exemption provided for a political subdivision engaged in mining that were enforced against other mining entities (posting bond or security on registered land and pay licensing fees).